



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

DOT-E 10424
(FIFTH REVISION)

400 Seventh St., S.W.
Washington, D.C. 20590

MAY 25 2001

EXPIRATION DATE: April 30, 2003

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. **GRANTEE:** Pennsylvania Engineering Company
Philadelphia, Pennsylvania
2. **PURPOSE AND LIMITATION:**
 - a. This exemption authorizes the transportation in commerce of the shipment of a specific gas mixture in DOT Specification 4BA240 cylinders retested in accordance with the provisions of § 173.34(e)(11) and (e)(12). This exemption provides no relief from any regulation other than as specifically stated herein.
 - b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.
3. **REGULATORY SYSTEM AFFECTED:** 49 CFR Parts 106, 107 and 171-180.
4. **REGULATIONS FROM WHICH EXEMPTED:** 49 CFR § 173.34(e)(11) and (e)(12) except as specified herein.
5. **BASIS:** This exemption is based on the application of Pennsylvania Engineering Company dated May 10, 2001, submitted in accordance with § 107.109
6. **HAZARDOUS MATERIALS (49 CFR § 172.101):**

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi- fication Number	Packing Group
Liquefied gas, n.o.s. (Ethylene oxide, dichlorodifluoromethane) (Penngas)	2.2	UN3163	N/A
Liquefied gas, n.o.s. (Ethylene oxide, chlorofluorohydrocarbons) (Penngas-2)	2.2	UN3163	N/A

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7. SAFETY CONTROL MEASURES: Packagings prescribed are DOT Specification 4BA240 cylinders.

a. Each cylinder must be protected externally by corrosion resistant coatings in accordance with § 173.34(e)(12); and the contents of the cylinder must be noncorrosive to the cylinder.

b. Each cylinder may be requalified and marked in accordance with § 173.34(e)(11).

c. The pressure in each cylinder may not exceed 80 psig at 70° F.

d. Prior to shipment, each filled cylinder must be checked for leaks using a halide leak detector.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modifications or changes are made to the package and it is reoffered for transportation in conformance with this exemption and the HMR.

b. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

c. The Pennsylvania Engineering Company must provide a copy of this exemption to their authorized distributors operating under the terms of this exemption.

d. Motor carriers used to transport under the terms of this exemption must have a "Satisfactory" or "Conditional" safety rating issued by the Office of Motor Carrier Field Operations, Federal Highway Administration.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS:

A current copy of this exemption must be carried aboard each motor vehicle used to transport packages covered by this exemption.

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11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

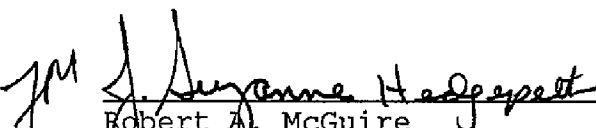
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:


Robert A. McGuire
Associate Administrator
for Hazardous Materials Safety

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Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590.
Attention: DHM-31.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, SW, Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

PO: sln